

REMARKS

In response to the September 30, 2003, written restriction requirement, applicant hereby elects Group XII (i.e., claims 91-130) with traverse. In addition, applicant submits that the new claims being added by the amendment herein (i.e., claims 131 and 132) be grouped in Group XII and, therefore, be elected for examination.

Applicant submits that the claimed subject matter of the different groups identified in the outstanding office action are closely related and, therefore, would require common areas of search and consideration. The claimed subject matter of Groups I-XII are all related to methods of conducting reduced dimensionality (RD) nuclear magnetic resonance (NMR) experiments in order to obtain assignments of chemical shift values of nuclei in a protein molecule and determine the structure of the protein and, thus, are closely related. Therefore, applicant submits that examining Groups I-XII together in one application is proper and places no undue burden upon the U.S. Patent and Trademark Office. As a result, no benefit is derived from maintaining the restriction requirement and withdrawal of the restriction requirement is respectfully requested.

In addition, applicant submits that the restriction requirement is improper because Groups V, VII, and XII are not independent and distinct inventions. In particular, Group XII containing claims 91-132, drawn to methods for obtaining assignments of chemical shift values of ¹H, ¹³C and ¹⁵N of a protein molecule, indicates that the method involves conducting a combination of RD NMR experiments, two of which are a RD 3D H,C,C,H-COSY NMR experiment (corresponding to claims 32-37 of Group V) and a RD 2D HB,CB,(CG,CD),HD NMR experiment (corresponding to claims 44-49 of Group VII). Since the combination as claimed by claims 131 and 132 of Group XII requires the particulars of the subcombinations as claimed by Groups V and VII, respectively, the inventions of Groups V, VII, and XII are not distinct and the restriction requirement between these invention groups is improper.

In view of all of the foregoing, applicant respectfully requests examination of all groups of the invention or, in the alternative, at least all of Groups V, VII, and XII.

Respectfully submitted,

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Nov 26, 2003 Ruth R. Smith
Date Ruth R. Smith